

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

OTIS ELEVATOR COMPANY,

Plaintiff,

v.

Case No. 09-CV-13951

UNITED STATES STEEL CORPORATION,

Defendant.

**ORDER SETTING SETTLEMENT CONFERENCE FOR NOVEMBER 25, 2009, AND
SUSPENDING FORMAL DISCOVERY**

A scheduling conference was held on November 4, 2009. Even though the notice of scheduling conference stated that "ALL PARTIES ARE DIRECTED TO ATTEND SCHEDULING CONFERENCE" and that "ALL TRIAL COUNSEL MUST ATTEND," none of the attorneys of record appeared nor did either party. Instead, A. Poppy Goudsmit appeared on behalf of Defendant United States Steel Corporation and Lisa Walinske appeared on behalf of Plaintiff Otis Elevator Company. Both Ms. Goudsmit and Ms. Walinske subsequently entered notices of appearance.

At the scheduling conference, both parties indicated that they were amicable to settlement of the matter, and a settlement conference was scheduled for **November 25, 2009, at 9:00 a.m.** Of course, in the event that the parties have earlier come to agreement, the court should be immediately informed, and the conference will be cancelled.

The court reiterates that it is imperative that both trial counsel (being Ms. Goudsmit and Ms. Walinske, who, having attended the initial conference, are now

principally responsible for any trial of this case) and a party representative with full decision-making authority personally attend. See E.D. Mich. LR 16.1(c) (“[A]t all conferences designated as settlement conferences, all parties shall be present.”); E.D. Mich. LR 16.1(d) (“If counsel for a party or a party without counsel fails to appear at a pretrial conference, the Judge may impose sanctions as appear proper, including costs and dismissal of the action or entry of default judgment.”). Pending this conference, the court will suspend formal discovery. However, the court encourages the parties to exchange information on a voluntary, informal basis in order to facilitate their discussions. Accordingly,

IT IS ORDERED that a settlement conference is scheduled for **November 25, 2009, at 9:00 a.m.** Party representatives with decision-making authority as well as trial counsel must attend. Failure to attend may result in sanctions, including costs, dismissal, or entry of default judgment.

IT IS FURTHER ORDERED that formal discovery is suspended pending the November 25, 2009 settlement conference.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: November 9, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 9, 2009, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522